

Shelbyville police officers. Eleven of 23 Shelbyville police officers made arrests of 26 Hispanic drivers. Remarkably, just four officers made 62% of the total arrests of Latinos for traffic violations. Since Shelbyville police officers are assigned to patrol throughout the city rather than in a specific area, these statistics suggest that some officers may be intentionally targeting Latino drivers for traffic stops and arrests, perhaps in order to facilitate detention by ICE.

Latinos' individual experiences with the Shelbyville Police Department substantiate this statistical evidence of racial profiling. One Latino resident was pulled over by a Tennessee Highway Patrol State Trooper allegedly for speeding and immediately showed the officer his valid driver's license and proof of insurance. The officer then asked for the driver's green card. When the driver asked what authority the Trooper had to inquire about immigration, the Trooper demanded proof of his citizenship, stating that he "knew" the driver "was an illegal." The officer issued a citation for driving without a license, no proof of insurance, and no seatbelt, even though he had been given this documentation and the driver was visibly wearing a seatbelt. Latino drivers unable to produce a driver's license are typically arrested for driving without a license and transported to jail, where they are questioned about their national origin and reported to ICE. Officers have chosen to arrest parents for driving without a license even when they have small children with them in the car and no other caretaker is present.

Another recent victim of police harassment reports that he was pulled over without cause by one of the Shelbyville police officers responsible for the bulk of arrests of Latinos. The police officer refused to give a reason for pulling the driver over, and asked for the IDs of all occupants of the car. The driver was ultimately arrested and transported to jail for driving without a license, even though he was a longtime resident of Shelbyville, had no criminal record, and the officer had no reason to make the initial stop. Once at the jail, he was unlawfully detained after posting bond while the jailer waited for ICE to remove him, and he was only released through the aggressive advocacy of community members. Local law enforcement officers choose to arrest Latinos for minor traffic violations even when there are compelling reasons for them to exercise their discretion.

A single mother was recently involved in a minor fender-bender, for which she was not at fault. She explained to a Shelbyville police officer that she was a victim of severe domestic abuse in the process of submitting her VAWA self-petition to become a lawful permanent resident and was unable to produce a driver's license at this time. She was nevertheless arrested for driving without a license and detained in the Bedford County jail, where she was questioned about her national origin. She reports that she relied in the past on the Shelbyville police to help keep her safe from her abusive partner, but after her arbitrary arrest, she no longer trusted law enforcement to protect her from abuse and feared that she would be arrested too if she called for help.

Local law enforcement agencies' patrols, traffic stops, and arrests demonstrate a pattern of treating Latinos and other immigrants in a discriminatory manner.

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Booking and Detention in Bedford County

Immigrants face discrimination in booking and detention procedures at the Bedford County Jail, which is administered by the Bedford County Sheriff's Department and Sheriff Randall Boyce. Since at least 2007, the Bedford County Sheriff's Department has publicly sought to deport undocumented immigrants who come into contact with the criminal justice system for minor traffic violations like driving without a license. But the Department was never able to secure a 287(g) agreement with federal authorities. The Bedford County Sheriff's Department is now a zealous participant in Secure Communities, reporting all detainees who are born outside the United States to ICE pursuant to Tennessee law that went into effect January 2011. Unfortunately, the Bedford County Sheriff's Department has misconstrued this state law as a license to do whatever it takes to detain immigrants for ICE and facilitate their deportation, no matter if these practices are patently unlawful and unconstitutional. Immigrants are more likely to be held for long periods of time for minor traffic violations and to be held unlawfully without bond or after posting bond as a "courtesy" for ICE when there is no ICE detainer. Since January 2011, the unlawful practices of the Bedford County Sheriff's Department have resulted in as much as a tenfold increase in the number of immigrants detained for ICE – all at the expense of Bedford County's taxpayers. ICE has initiated deportation proceedings against most of those who have been unlawfully detained.

Under T.C.A. § 40-7-123, the Tennessee "Jailer Bill" that went into effect January 2011, standards issued by Tennessee's Peace Officer Standards Training ("P.O.S.T.") Commission give jailers narrow directives to question detainees about their citizenship and make certain reports to ICE. It by no means suspends the constitutional rights of detainees or the obligations of jailers under state and federal law, nor does it deputize jailers to enforce federal immigration law by indefinitely detaining suspected undocumented immigrants. In Bedford County, the Sheriff's Department has systematically misinterpreted its authority under this law. Numerous department officials, including high-level supervisors, have cited to the Jailer Bill as justifying their refusal to facilitate the setting of a bail amount for immigrant detainees, even though the right to bond is enshrined in Tennessee's state constitution. Even when a bail amount has been set, many department officials have refused to let families post bond, stating that the Jailer Bill forbids them from accepting bond for an immigrant detainee until ICE officials have determined they will not pick up that person. As a result, immigrants have languished in Bedford County jail for days and

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weeks longer than non-immigrants. Most do so without meaningful access to legal counsel, even when their only crime was driving without a license. Many are ultimately removed by ICE, even though the Bedford County Jail had detained them illegally. Only after systematic advocacy and legal education by community members have officers begun to allow immigrants to post bond.

The Bedford County Sheriff's Department has also systematically misconstrued federal regulations governing ICE detainees as justifying the discriminatory and illegal detention of many immigrants. Federal regulations give discretionary authority to ICE to request that local law enforcement detain individuals for up to 48 hours beyond the time they would otherwise have been entitled to release. 8 C.F.R. § 287.7 requires an immigration officer to issue Form I-247, the ICE detainer document, to the local jailor before requesting an individual's 48-hour detention. Officers at all levels in the Bedford County Sheriff's Department have routinely detained people beyond when they should have been released when they lack an ICE detainer, or the ICE detainer has long expired. In their conversations with advocates, jailers give a dizzying array of inaccurate interpretations of federal regulations, ever-evolving in response to community advocacy and legal education to justify their continued illegal detention of immigrants in the Bedford County Jail. Some jailers have told advocates that the federal regulations mandate 48 hours of additional detention time for all immigrant arrestees, regardless of whether ICE submits Form I-247. Some jailers have asserted that they may indefinitely hold immigrants who would otherwise be released until ICE decides whether or not to issue an ICE detainer. Most recently, jailers claim they cannot release a person until they have made a "courtesy call" or "courtesy fax" to ICE, which may take many hours and result in the issuance of an ICE detainer. These "courtesy" procedures are not provided in any statute or regulation.

Even when the jail has received Form I-247, the ICE detainer, jailers have habitually refused to release individuals upon expiration of the 48-hour clock. One method of circumventing the clear language of the 8 C.F.R. § 287.7 is to distort the moment at which the 48 hours begin to run. The Bedford County Sheriff's Department grossly overstates the amount of time they are allowed to hold someone pursuant to an ICE detainer. Sheriff Boyce has stated publicly that he believes if he arrests someone on a Friday, the 48 hours do not start to run until Monday, allowing him to hold that person until Wednesday. Others officers claim they must hold an immigrant over the weekend even if ICE hasn't issued a detainer. Another method is to simply disregard the 48 hours, and hold people until ICE arrives. On several occasions, jailers have maintained that they possess authority to unlawfully detain individuals because "ICE is on the way."

So pervasive is the warped sense of responsibility within the Sheriff's Department for enforcing federal immigration law that even when a noncitizen successfully posted bond and secured his release, Sheriff's deputies went to the individual's home to re-arrest him less than twenty-four hours later. When pressed by the Latino resident's family, Sheriff's Department officials admitted the sole reason for his re-arrest was to allow questioning by ICE, and to detain him pursuant to an ICE hold.

The policies of the Bedford County Sheriff's Department substantially increase jail time for immigrant arrestees who haven't been to court, haven't been convicted of a crime, and have usually been arrested for a minor traffic infraction. These inmates are presumed guilty, and their deportation by ICE is widely considered a foregone conclusion.

For example, one Bedford County resident was arrested for a minor traffic violation and held in Bedford County jail days after he should have been released. The jail lacked an ICE detainer, but jailers claimed they had an "oral" ICE hold and refused to release him when pressed. He was eventually arrested and deported by ICE, even though he was a victim of violent crime and was likely eligible for a U-Visa.

The Forgotten Constitution

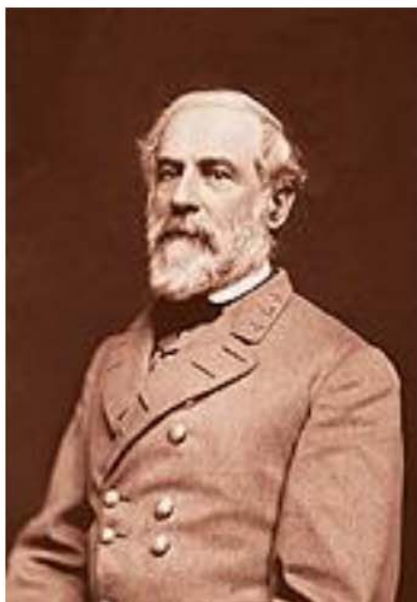
Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Navigating the Court System

A large painting of Confederate General Robert E. Lee hangs above the main doorway just inside the Bedford County criminal court, and is the only portrait in the courtroom. There is little justice here for immigrants who walk through these doors, in the shadow of that disciple of state racism and white supremacy.

Multiple reports by criminal defense counsel indicate that some local law enforcement officers are making notations reading “Not a U.S. Citizen” or “Non-citizen” on the arrest report or criminal citation – the document that provides the basis for the judicial proceeding against a criminal defendant. Latino drivers are consistently sentenced to jail time and probation for minor offenses such as driving without a license, whereas non-immigrant drivers may be ordered to pay a fine or attend traffic school. Immigrant criminal defendants assigned to the public defender are often not advised of the immigration consequences of a criminal conviction pursuant to *Padilla*. Recommendations by defense counsel to plead guilty have jeopardized the ability of some long-standing community members to qualify for cancellation of removal or other immigration relief. Finally, some court-appointed attorneys have apparently charged indigent Latino clients for court appearances, despite the fact that these defendants are charged attorney fees by the probation office for the exact same representation and court appearances.

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Immigrants with limited English proficiency face additional barriers to their meaningful participation in the court system, even when they are criminal defendants and the stakes are exceptionally high. The Department of Justice has made clear that courts receiving federal assistance must provide meaningful access to people with limited English proficiency and should provide quality language interpreters at no cost to litigants and witnesses in order to comply with Title VI of the Civil Rights Act. Although roughly 20% of the population of Shelbyville is Latino, the Bedford County Circuit and Sessions Courts systematically fail to provide interpreter services, making it difficult for many immigrants to enjoy equal access to the justice system. No interpreter services are offered at the clerk's office. A Spanish language interpreter is regularly present only in criminal court, and she is reportedly not certified or registered as a court interpreter by the State of Tennessee. On several occasions where criminal defendants where indigenous Guatemalans with little or no Spanish proficiency, the Spanish-language interpreter has failed to identify these language barriers and pressured them to allow the process to move forward. Many criminal defendants report that this court interpreter has failed to provide accurate interpretation, inserted her own opinions or legal advice, told undocumented immigrants

they have to plead guilty because they have no rights and will definitely be deported,” and served as a matchmaker for private defense attorneys who would be paid far less for the same representation were they court-appointed instead of hired by the defendant. One former defendant states that the interpreter told him to plead guilty in order for [the] case to go faster.” Another former defendant states that the interpreter told her she had to plead guilty because her sister had. Bedford County courts fail to provide interpreter services at no cost and assess interpreter fees uniformly against most Latino litigants, effectively levying an additional tax against Latinos who need to access the court system based on their perceived national origin. Latinos are assessed at least \$50 by the court for interpreter services at each court appearance, in at least some cases, even when a person was proficient in English and had not used an interpreter.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Encounters with Immigration and Customs Enforcement (ICE)

In 2011, Immigration and Customs Enforcement (ICE) initiated a sting in cooperation with the Bedford County Probation Office in which Latino probationers were profiled based on their perceived national origin.

As part of ICE's annual Operation Cross-Check, ICE Nashville Fugitive Operations Team Deportation Officer Bradley Epley contacted the head of the Bedford County Probation Office, Rory Griffey. Epley informed Mr. Griffey of his desire to arrest noncitizens with criminal convictions as part of Cross-Check. Over multiple e-mails, the Probation Office prepared and transmitted to Epley a list of probationers who may be subject to deportation. The only trouble was, for the vast majority of persons, the Probation Office knew neither the individual's country of birth nor his immigration status. Rather than investigating further, Epley and the Probation Office simply compiled a list of Hispanic-sounding names, thus profiling the individuals based on perceived national origin and ethnicity. Probation officers then put on a full-court press in the weeks leading up to Cross-Check by calling all individuals on the list and demanding they come to the Probation Office at 9 am on an upcoming Thursday. For many, if not most probationers, Thursday was not their normal report day; several had to miss work—a thing all-to-difficult to come by in this economy — to be present for the inquisition. No mention was made of ICE's presence. The message was clear: show up or go to jail for violating probation.

Once at the Bedford County Probation Office, individuals were asked to pay their probation fees (generally each probationer pays a weekly amount). Then at least 15 Hispanic men were taken to a second room, where an ICE agent was waiting. That agent proceeded to interrogate the men about their citizenship and immigration status. If the right answers weren't forthcoming, another ICE agent—believed to be Nashville-based Eric Lim—handcuffed or shackled the individual and took him to a room where over a dozen Latino men were gathered.

In addition to the racially-targeted arrests that occurred inside the Probation Office, ICE questioned multiple residents of Latino appearance in the parking lot. At least one man was arrested while standing outside the Probation Office talking on his cellular phone, according to eyewitness accounts. Indeed, the zeal of some Fugitive Operations Team agents to arrest everyone in sight reportedly culminated in a visible argument between a white agent and another agent who was a native Spanish speaker.

Following their arrests by ICE, the approximately 18 men were transported in white vans to the ICE office in Nashville, Tennessee, where they were further interrogated and made to sign documents without the opportunity to consult counsel. Multiple accounts

The head of probation “publicly expressed his profound regret that he had ever collaborated with ICE. What he was led to believe would be a targeted operation to remove the worst of the worst proved to be a dragnet aimed at grabbing as many men as possible.”

report ICE agents and supervisors becoming furious at men who refused to make statements and requested a lawyer. One man who was present refused to repeat the profanities agents used for fear that his wife and children could overhear him.

In the aftermath of the probation raid, the head of the Probation Office admitted that the list he compiled at Deportation Officer Epley's request was based not on reasonable suspicion of alienage or unlawful presence, but rather, on the way each person's last name looked and sounded. Mr. Griffey publicly expressed his profound regret that he had ever collaborated with ICE. What he was led to believe would be a targeted operation to remove the worst of the worst proved to be a dragnet aimed at grabbing as many men as possible.

At least one official with ICE's Chattanooga field office candidly admits that its office follows this "dragnet" approach to immigration enforcement in Bedford County. The office follows this approach despite clear guidance from ICE director John Morton on priorities for immigration apprehension, detention, and removal that instruct ICE agents to "exercise particular discretion when dealing with minor traffic offenses such as driving without a license." John Bobo with ICE's Chattanooga office told an advocate that he will fill every seat on the bus when he sends it to a county jail, even if this means detaining people who have committed minor traffic infractions. Bobo states he intends to take every person he can into his custody because he sees no distinction between traffic violations and more serious criminal acts.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Efforts Undertaken by the Community Thus Far

Community members directly affected by racial profiling are building grassroots power to defend the community from law enforcement abuses and to fight back against racial discrimination. Latinos Unidos de Shelbyville (LUS) formed in January 2011 in direct response to the problems described in this report, and has been at the forefront of the daily struggle to improve life for immigrants in Bedford County by organizing the community. Statewide groups including Tennessee Immigrant and Refugee Rights Coalition (TIRRC), Statewide Organizing for Community Empowerment (SOCM), and Justice for Our Neighbors (JFON) have provided tremendous support to these local organizers.

Together, these groups have convened community meetings sometimes more than a hundred strong, provided know-your-rights trainings on the criminal justice and immigration enforcement systems, collected stories and data documenting discrimination towards immigrants, and inspired community members to engage in strategic, organized resistance against anti-immigrant law enforcement practices. The organizing model of “Neighborhood Defense Committees” was one of the few good things to come out of the aftermath of SB 1070 in Arizona, and in November of 2010, Shelbyville residents were able to meet with Arizona organizers and partake in the lessons learned from Arizona’s struggle against racial profiling. Through a process of popular education and intensive “Defend Your Rights” trainings, TIRRC has helped community members form their own “Neighborhood Defense Committee”, where community members use radio, one-on-one conversations, and door-to-door outreach to move forward a proactive, rapid-response network of activists to fend off attacks on the community. For instance, in response to the raid at the probation office, LUS rapidly organized several teams to go door-to-door to offer know-your-rights to other immigrants on probation and urge them to get involved in community organizing. SOCM has been an invaluable ally to the immigrant community, diligently documenting rights abuses, and opening doors with local and state officials to address egregious violations of civil and human rights. For example, LUS and SOCM persuaded the head of the probation office to attend a community meeting to explain his collaboration with ICE. He was peppered with questions from many individuals directly affected by the raid. By the end of the meeting, the probation officer was deeply apologetic and vowed not to cooperate with future requests from ICE.

In the coming weeks, TIRRC, LUS, RWG and our community partners will complete and deliver a comprehensive pattern-and-practice complaint to the Department of Justice Civil Rights division that will document specific instances of the violations described above.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

NOTES



The Tennessee Immigrant and Refugee Rights Coalition
446 Metroplex Drive, Bldg. A, Ste. 224, Nashville, TN 37211



Homeland
Security

September 29, 2011

Via Electronic Mail

(b)(5)

Rights Working Group

(b)(5)

Tennessee Immigrant and Refugee Rights Coalition

(b)(6)

[@rightsworkinggroup.org](mailto:(b)(6)@rightsworkinggroup.org)

Re: Complaint No. 11-12-ICE-0303

Dear Mrs. (b)(5) and Mr. (b)(5)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on September 20, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 5 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/crcl. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



Homeland
Security

June 25, 2012

(b)(5)

Rights Working Group

(b)(5)

Washington, DC 20036

(b)(5)

Tennessee Immigrant and Refugee Rights Coalition

(b)(5)

Nashville, TN 37211

Re: Complaint No. 11-12-ICE-0303

Dear Ms. (b)(5) and Mr. (b)(5)

This letter is in response to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on September 20, 2011 involving an Immigration and Customs Enforcement (ICE) action in Shelbyville, Tennessee. Your complaint alleges that an ICE enforcement action in Shelbyville from September 17-22, 2011 was retaliatory in nature. Specifically, your complaint alleges that the enforcement action was an effort to target and intimidate community members who had spoken out against alleged police and ICE abuses at a community forum held five days prior to the commencement of the enforcement action.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. Accordingly, CRCL has conducted an investigation of your allegations. In order to complete this investigation CRCL spoke with the complainants, several residents and attorneys in Shelbyville, and the ICE Fugitive Operations Supervisor in Nashville. CRCL also reviewed ICE documents relevant to the complaint.

Based upon our review, CRCL could not substantiate the claim that the enforcement operation was retaliatory in nature. We have determined that the Shelbyville, Tennessee enforcement operation had been planned a month in advance of the community forum held on September 12, 2011 and was part of a nationwide enforcement operation to be held on specific days. However, as a result of your complaint, CRCL did recommend that, for field offices and local law enforcement partners, ICE should reemphasize existing guidance and provide additional training about the prohibitions on racial or ethnic profiling (including name origin) in immigration enforcement.

Protected by Attorney-Client and Deliberative Process Privileges

This concludes our review of this complaint. If you have any additional information or allegations regarding inappropriate treatment by officials of DHS, do not hesitate to provide the information. We appreciate you bringing these matters to our attention; inquiries like this help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties.

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges

SHORT FORM COMPLAINT CLOSURE RECOMMENDATION

To: Tamara Kessler
From: (b)(6)
Date: June 25, 2012
Complaint: Raid in Shelbyville, TN 11-12-ICE-0303

Recommendation:

(b)(5)

Complaint Synopsis:

On September 20, 2011, CRCL received correspondence submitted via email from (b)(5) of the Rights Working Group (RWG) and (b)(5) of the Tennessee Immigrant and Refugee Rights Coalition (TIRRC). The letter alleged that an Immigration and Customs Enforcement (ICE) action that took place in Shelbyville, Tennessee from September 17-22, 2011, was retaliatory in nature. On September 12, 2011, five days prior to the enforcement action, TIRRC and an organization called Latinos United organized a community forum to highlight the concerns of Latino residents in Shelbyville. A CRCL policy advisor and an attorney from the Department of Justice attended the forum. Latino residents, attorneys, and advocates emphasized that residents felt targeted by both local law enforcement and ICE, whom they alleged were conducting pretextual stops and arrests for the purposes of immigration enforcement. TIRRC and RWG allege that the September 17-22, 2011 enforcement action was retaliatory in nature, i.e. an effort to intimidate community members who spoke out against the alleged police and ICE abuses.

Suggested closure method(s):

(b)(5)

Explanation:

(b)(5),(b)(6),(b)(7)(C)

Protected by deliberative process privileges.

Recommendation:

(b)(5)

Recommendation Accepted

Not Accepted: _____

TJM

Further Action Required: _____

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1158 11-12-ICE-0303 (b)(5)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-09-28 10:32	Create	Component Referenced	ICE	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Summary	On September 20, 2011, CRCL received email correspondence from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition, alleging that on September 17, 2011 in Shelbyville, Tennessee, ICE Homeland Security Investigations (HSI) con	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Executive Summary	On September 20, 2011, CRCL received email correspondence from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition, alleging that on September 17, 2011 in Shelbyville, Tennessee, ICE Homeland Security Investigations (HSI) con	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Days to Process	8	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date to CRCL	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date to DHS	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date on Correspondence	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Sender Type	NGO/Organization	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Method of Receipt	Email	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Entry Date	09/28/2011	7936	(b)(6)	User Change
DhsComplaintAction	2011-11-09 09:11	Create	Action Date	11/09/2011	106433	(b)(6)	User Change
DhsComplaintAction	2011-11-09 09:11	Create	Action	Short Form	106433	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action	Back from Officer	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06	Create	Comments	Short Form assign to (b)(6)	106160	(b)(6)	User

	12:16					(b)(6)	Change
DhsComplaintAction	2011-10-06 12:16	Create	Primary Assignment	(b)(6)	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action Date	10/06/2011.	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action	Recommendation Review	106159	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Comments	Short Form assign to (b)(6)	106159	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action Date	10/06/2011.	106159	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:33	Update	Action Date	09/29/2011.	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:32	Update	Action Date	09/28/2011.	106051.	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:32	Update	Action Date	09/29/2011.	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Action Date	09/28/2011.	106064.	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Action	Acknowledgement Letter Sent	106064	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Document	9.20.2011 11-12-ICE-0303.pdf	106064	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Comments	On September 28, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106051.	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Action Date	09/28/2011.	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Action	Awaiting Recommendation	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Action Date	09/28/2011.	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Action	IG Declines/Back from IG	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Document	11-12-ICE-0303 (OIG Response 9.28.2011).pdf	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:53	Create	Action Date	09/28/2011.	106041	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:53	Create	Action	Sent to IG	106041.	(b)(6)	User Change
				On September 28, 2011, Jeffrey		(b)(6)	

DhsComplaintAction	2011-09-28 10:45	Create	Comments	Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106040	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:45	Create	Action Date	09/28/2011.	106040		User Change
DhsComplaintAction	2011-09-28 10:45	Create	Action	Open a Complaint	106040		User Change
DhsComplaintAction	2012-06-26 10:51	Create	Document	SHORT FORM CLOSE MEMO - Complaint 11-12-ICE-0303_Signed 6-25-12.pdf	107813		User Change
DhsComplaintAction	2012-06-26 10:51	Create	Action	Closed - Short Form/No Further Action	107813		User Change
DhsComplaintAction	2012-06-26 10:51	Create	Internal Summary	On September 20, 2011, CRCL received correspondence submitted via email from (b)(5) of the Rights Working Group (RWG) and (b)(5) of the Tennessee Immigrant and Refugee Rights Coalition (TIRRC). The letter alleged that an Immigration an	107813		User Change
DhsComplaintAction	2012-06-26 10:51	Create	Reporting Summary	On September 20, 2011 CRCL recieved a complaint alleging that an ICE enforcement action in Shelbyville, TN from September 17-22, 2011 was retaliatory in nature. Specifically, the alleged that the enforcement action was an effort to target and intimidat	107813		User Change
DhsComplaintAction	2012-06-26 10:51	Create	Action Date	06/26/2012	107813		User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Foreign Language	No	87083		User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Document Type	Closed Letter	87083		User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Document 1	CRCL 11-12-ICE-0303 SF Close Letter Shelbyville Raid 6-25-12.pdf	87083		User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Dateentered	06/26/2012	87083		User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Foreign Language	No	87082		User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Document Type	Short Form Doc	87082		User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Document 1	SHORT FORM CLOSE MEMO - Complaint 11-12-ICE-0303_Signed 6-25-12.pdf	87082		User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Dateentered	06/26/2012	87082		User Change

DhsComplaintDocument	2012-05-08 10:55	Create	Document Type	Investigative Material	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 3	DRAFT 12-15-11 Phone Call with (b)(6).docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Dateentered	05/08/2012	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Foreign Language	No	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 4	DRAFT 12-19-11. Phone Call with (b)(6).docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Comments	Notes from phone calls with community members, attorneys, and ICE agent.	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 5	DRAFT 12-20-11. Phone call with (b)(6).docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 2	12-9-11 Phone Call with (b)(6).draft.docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 1	10-13-11 TIRRC CAI Draft Notes.docx	86641	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Document 1	9 20 2011 Raid in Shelbyville TN.pdf	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Dateentered	09/28/2011	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Document Type	Incoming Letter	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Foreign Language	No	85151	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	(b)(5)	(b)(5)	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Situation	DHS law enforcement activity	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Incident Date	09/17/2011	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Incident Location Type	Residence	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	State	Tennessee - TN	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	City	Shelbyville	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Ongoing	No	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28	Create	Redirect to	No	13172	(b)(6)	User

	11:08		Subject			(b)(6)	Change
DhsComplaintIssue	2011-09-28 11:08	Create	Primary Issue	Yes	13172		User Change
DhsComplaintPartiesInvolved	2011-09-28 11:02	Create	Last Name	Raid in Shelbyville TN	22303		User Change
DhsComplaintPartiesInvolved	2011-09-28 11:02	Create	Contact Type	On Behalf Of	22303		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Last Name	(b)(5)	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Organization	Other	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Prefix	Mr	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	First Name	(b)(5)	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Contact Type	Sender	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Other Organization	Tennessee Immigrant and Refugee Rights Coalition	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Last Name	(b)(5)	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Organization	Other	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Email	(b)(6)@rightsworkinggroup.org	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Prefix	Mrs	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	First Name	(b)(5)	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Contact Type	Sender	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Other Organization	Rights Working Group	22301		User Change

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 11-12-ICE-0315
Date: Wednesday, October 19, 2011, 7:32:55 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

(b)(5)

If you have any questions concerning this matter, you may contact (b)(6) Deputy Assistant Inspector General for Investigations-Field Operations at 202-(b)(6)

Note: DHS. OIG Case # I1101327

From: (b)(6)@dhs.gov]
Sent: Friday, October 07, 2011 11:16 AM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 11-12-ICE-0315

(b)(6)

Summary of new complaint for your review:

On September 21, 2011, CRCL received email correspondence from Atty. (b)(6) on behalf of (b)(6) alleging that on the morning of August 17, 2011, ICE agents trespassed on his rental property in Wichita, Kansas, without a warrant in order to search for an individual, then when Mr. (b)(6) refused to leave his own property and began to call the police, the two ICE agents then assaulted Mr. (b)(6) and detained him.

The agents are identified as Agent (b)(6),(b)(7)(C) and Agent (b)(6),(b)(7)(C)

Thank you.

(b)(6)

Program Analyst
Compliance Branch

Office for Civil Rights & Civil Liberties
Department of Homeland Security

(b)(6)

From: (b)(6)@immiglaw.net]
Sent: Wednesday, September 21, 2011 1:14 PM
To: CRCL
Cc: (b)(6)@dhs.gov
Subject: CRCL Complaint for (b)(6)
Attachments: (b)(6) CRCLComplaint.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Forwarded within Compliance Branch

Attached hereto is (b)(6) formal CRCL complaint with respect to the conduct of ICE agents who trespassed on his rental property at (b)(6) Wichita, KS 67207, the morning of August 17, 2011. It is our understanding that a DHS internal investigation is being conducted by Mr. (b)(6),(b)(7)(C) Assistant Field Office Director, Chicago District Office, but to date we have not received a resolution of the complaint. Counsel is providing with this complaint, photographs of (b)(6) injuries, audio of his 911 call to local police, and video footage of (b)(6) unlawful arrest and detention (see below). The conduct of the ICE agents involved was not only unlawful and unjustified, but also a violation of (b)(6) civil rights and liberties solely because he refused to cooperate with the agents in their enforcement encounter. As a private citizen, (b)(6) is under no legal obligation to cooperate in any ICE enforcement activity and may not be victimized for refusing to do so. When the ICE agents failed to obtain his consent or the consent of the occupant at (b)(6) Wichita, KS 67207, to enter or remain on the premises on August 17, 2011, the agents were required to leave and obtain a search warrant. It was a clear violation of law and of their own regulations when the agents entered on and remained on (b)(6) private property after they were asked to leave, physically assaulted Mr. (b)(6) causing him injury, unlawfully arrested him causing him and his wife emotional distress, public embarrassment and humiliation, and finally racially profiled his wife solely because she is a U.S. citizen of Hispanic descent.

Counsel and the complainant have been advised that the ICE agents in question unsuccessfully attempted to file a false criminal complaint with the local U.S. Attorney's office while at the private residence the morning of August 17, 2011, claiming that (b)(6) attempted to assault them. Not only does the evidence not support the Agents' false claim, it is now clear that this incident must be elevated not only to resolve the CRCL claim, but to address criminal conduct by federal law enforcement agents empowered to enforce our immigration laws.

Thank you for timely attention,

(b)(6)
Immigration Law Office, Inc.
200 W. Douglas, Suite 600
P.O. Box 49462
Wichita, KS 67202
Tel: 316 (b)(6)
Fax: 316 (b)(6)
E-mail: (b)(6)@immiglaw.net

911 Call.wav

VIDEO.3GP

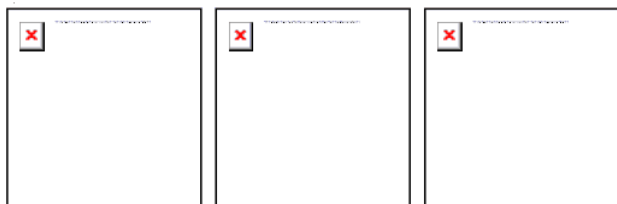
Page1.pdf

Page2.pdf

[Page3.pdf](#)

[Page4.pdf](#)

[Download all](#)



Jacob shared [9 online files](#) with you and they're saved on SkyDrive. These files will be available until 12/19/2011. To view these files, just click the links above.

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Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation
(fill in what you can)

Name: (b)(6)

Phone #: Cell: (316) (b)(6) Home: (316) (b)(6) Work: _____

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Wichita, KS 67207

Date of Birth: (b)(6) Email (optional): (b)(6) @live.com

Alien Registration #: (if you have one and it's available): N/A

☐ Check here if you are in detention now.

Which facility? _____

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information Sandrine Lisk, Esq.; Tel: (316) (b)(6) @immiglaw.net
Immigration Law Office, Inc.
P.O. Box 49462, Wichita, KS 67201

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: _____

Organization (if any): _____

Phone #: Cell: _____ Home: _____ Work: _____

Mailing Address: _____

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

On the morning of August 17, 2011, ICE agents went to my rental property, a private residence at (b)(6) in Wichita, KS, to search for an individual. The ICE agents did not have a judicial warrant, and my brother in law who occupies the home refused to speak to them and called me to the residence. Upon my arrival at the residence, I was confronted in the private driveway by two ICE agents who have now been identified by their supervisors as Agent (b)(6),(b)(7) and Agent (b)(6),(b)(7). The ICE agents identified me immediately as (b)(6) when I exited my car, and asked me to state my business at the residence. I told them that I own the home, and I inquired if they had a warrant to enter the premises. Agent (b)(6) then demanded that I leave if I was not going to cooperate with them. I responded that if anyone had a right to be on the property it was me, and again requested that they leave if they could not show me a warrant or lawful authority to be on my property. Mr. (b)(6) insisted that I leave, and I again informed him that I was the property owner and if they did not leave I would call the police which I proceeded to do. I dialed 911 for police assistance, and while speaking to the 911 operator, both Agent (b)(6) and Agent (b)(6),(b)(7) jumped me from behind knocking me and my cell phone to the ground. Agent (b)(6),(b)(7) and Agent (b)(6),(b)(7) then physically tackled me, hand cuffed me and dragged me from the concrete driveway to the front lawn of the residence where I was detained in plain view of the neighbors and the public. As a result of their actions, I sustained injuries to my back, my shoulder, my chest, my rib cage and my knees. This incident has also caused emotional distress to me and my wife who later arrived at the residence and found me lying on the grass in hand cuffs, as well as public embarrassment and humiliation because I am a born citizen of the United States and a Pastor of my church.

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

About 7:00 am on August 17, 2011

Where did this happen?

Place (for example, name the detention facility, airport, other): (b)(6)

City: Wichita

State or Country: KS 67207

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

- | | |
|---|---|
| ☐ Citizenship and Immigration Services (USCIS) | ☐ Not sure which DHS office |
| ☐ Customs and Border Protection (CBP)* | ☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer) |
| ☐ Customs Officer | specify: _____ |
| ☐ Border Patrol Agent | |
| ☐ Federal Emergency Management Agency (FEMA) | |
| ☒ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program (specify): _____ | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): (b)(6) Spouse: (b)(6) Attorney; neighbor (b)(6)

Mailing Address: neighbor & State Rep. Joseph Scape; Wichita Police Department; 911 Dispatch
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

⑥ Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

☒ Yes: Agency/Office/Court Louis Zamora, DHS Assistant Field Office Director, Enforcement & Removal Operations Date: 08/23/2011
☐ No

If so, has anyone responded to your complaint?

☐ Yes ☒ No

If Yes, describe what has been done to respond to your complaint:

DHS Internal Revenue in progress by (b)(6), (b)(7) DHS Assistant Field Office Director, Enforcement & Removal Operations, Chicago, IL.; Please provide any responses, findings, and the FINAL DETERMINATION OF THIS COMPLAINT TO MY ATTORNEY, (b)(6) Tel: (316) (b)(6) e-mail: (b)(6) @immiglaw.net) Immigration Law Office, P.O. Box 49462, Wichita, KS 67201-9462.

Continue on an additional page, if needed.

⑦ Is there any other information you want us to know about or consider?

I am filing this complaint because as a law abiding citizen of the United States, I have to believe that my own government will protect my rights and liberties. The conduct of the ICE agents in this case was shocking and outrageous. ICE agents had neither the consent of the occupant nor a judicial warrant to enter or search the premises of (b)(6) the morning of August 17, 2011, thus they were required to leave at my request and the request of my attorney, Ms. (b)(6) who spoke to Mr. (b)(6) by telephone. The agents had no authority to violate my personal property rights, and they certainly had no authority to physically assault, arrest and detain me just because I refused to cooperate with them in their investigation. They unlawfully remained on my property after they had been asked to leave, they physically assaulted me causing injury, unlawfully arrested me, and intentionally inflicted emotional distress both to me and my wife; they racially profiled my wife who is also a citizen of the United States of Hispanic descent, and caused me both public humiliation and embarrassment.

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.
-

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

From: (b)(6),(b)(7)(C)
To: (b)(6) CRCL; JOINT INTAKE
Cc:
Subject: RE: CRCL Complaint for (b)(6)
Date: Thursday, September 22, 2011 12:14:39 PM

Good Morning Attorney (b)(6)

I am in possession of the documents that I gathered which I will provide to the Officer assigned to investigate this incident. Should you have any additional questions or concerns I can be reached at 312- (b)(6),(b)(7)(C)

Thanks

(b)(6),(b)(7)(C)
Assistant Field Office Director
Chicago Field Office
312- (b)(6),(b)(7)(C) Direct Line
312- (b)(6),(b)(7)(C) Cell Phone

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From: (b)(6)@immiglaw.net]
Sent: Thursday, September 22, 2011 10:58 AM
To: (b)(6),(b)(7)(C) CRCL; JOINT INTAKE
Cc:
Subject: RE: CRCL Complaint for Jacob Molina

Good Morning (b)(6),(b)(7)(C)

Can we presume that any findings you have made or evidence you obtained relating to this incident will be/has been forwarded to OPR/JIC??

(b)(6)
Immigration Law Office, Inc.
200 W. Douglas, Suite 600
Wichita, KS 67202
Tel: 316- (b)(6)
Fax: 316- (b)(6)
E-mail: (b)(6)@immiglaw.net

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delete this communication and destroy all copies.

-----Original Message-----

From: (b)(6),(b)(7)(C)@dhs.gov]

Sent: Wednesday, September 21, 2011 4:02 PM

To: (b)(6) RCL; JOINT INTAKE

Cc:

Subject: FW: CRCL Complaint for (b)(6)

Importance: High

All,

This is to advise that I am recusing myself and referring this incident to the Office of Professional Responsibility (OPR), Joint Intake Center (JIC). Any questions regarding this email should be directed to my attention.

Thanks

(b)(6),(b)(7)(C)

Assistant Field Office Director

Chicago Field Office

312- (b)(6),(b)(7)(C) Direct Line

312- (b)(6),(b)(7)(C) Cell Phone

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Duplicate



**Homeland
Security**

October 7, 2011.

Via Electronic Mail

(b)(6)
(b)(6)@immiglaw.net

Re: Complaint No. 11-12-ICE-0315 on behalf of Mr. (b)(6)

Dear Atty. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on September 21, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528